

HOUSE JOURNAL

EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-NINTH DAY (CONTINUED) — WEDNESDAY, MAY 24, 2023

The house met at 10:01 a.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 2031).

Present — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren(C); Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Absent, Excused — Mr. Speaker.

Absent, Excused, Committee Meeting — Johnson, A.; Longoria; Murr; Spiller.

The invocation was offered by Representative Price, as follows:

Heavenly Father, we thank you for this day. We thank you for the opportunity to represent the great state and our country. We ask for protection, guidance, wisdom to see things through you eyes, patience and stamina to guide us through all the decisions we have to make. Bless this state and those that protect it. In Christ's name we pray. Amen.

The chair recognized Representative C.J. Harris who led the house in the pledges of allegiance to the United States and Texas flags.

(C.J. Harris in the chair)

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today to attend his son's 8th grade graduation:

Speaker Phelan on motion of Metcalf.

Pursuant to a previous motion, the following members were granted leaves of absence temporarily for today to attend a meeting of the Conference Committee on General Investing:

Murr on motion of Metcalf.

A. Johnson on motion of Metcalf.

Geren on motion of Metcalf.

Longoria on motion of Metcalf.

Spiller on motion of Metcalf.

**HR 1835 - ADOPTED
(by J. Lopez)**

Representative J. Lopez moved to suspend all necessary rules to take up and consider at this time **HR 1835**.

The motion prevailed.

The following resolution was laid before the house:

HR 1835, Commemorating the 50th anniversary of the incorporation of South Padre Island.

HR 1835 was adopted.

(Moody in the chair)

**HR 2004 - ADOPTED
(by Davis)**

Representative Davis moved to suspend all necessary rules to take up and consider at this time **HR 2004**.

The motion prevailed.

The following resolution was laid before the house:

HR 2004, Congratulating the Duncanville High School girls' track team on winning the 2023 UIL 6A state championship.

HR 2004 was adopted.

**HR 2225 - ADOPTED
(by Davis)**

Representative Davis moved to suspend all necessary rules to take up and consider at this time **HR 2225**.

The motion prevailed.

The following resolution was laid before the house:

HR 2225, Congratulating Midiam Espinosa on her selection as the 2023 Duncanville ISD Secondary Teacher of the Year.

HR 2225 was adopted.

HR 2226 - ADOPTED
(by Davis)

Representative Davis moved to suspend all necessary rules to take up and consider at this time **HR 2226**.

The motion prevailed.

The following resolution was laid before the house:

HR 2226, Congratulating Raven Hill on her selection as the 2023 Duncanville ISD Elementary Teacher of the Year.

HR 2226 was adopted.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business in the district:

Martinez Fischer on motion of R. Lopez.

HR 2180 - ADOPTED
(by Flores)

Representative Flores moved to suspend all necessary rules to take up and consider at this time **HR 2180**.

The motion prevailed.

The following resolution was laid before the house:

HR 2180, Commemorating the centennial of the Austin Branch of the American Association of University Women.

HR 2180 was adopted.

HR 2175 - ADOPTED
(by Garcia)

Representative Garcia moved to suspend all necessary rules to take up and consider at this time **HR 2175**.

The motion prevailed.

The following resolution was laid before the house:

HR 2175, Honoring Patricia Ann Vasquez of San Antonio for her service to Ignite Community Solutions.

HR 2175 was adopted.

HR 2117 - ADOPTED
(by Lalani)

Representative Lalani moved to suspend all necessary rules to take up and consider at this time **HR 2117**.

The motion prevailed.

The following resolution was laid before the house:

HR 2117, Commemorating Sindhi Saqafat 2023.

HR 2117 was adopted.

On motion of Representative Wu, the names of all the members of the house were added to **HR 2117** as signers thereof.

HR 2160 - ADOPTED
(by Dutton)

Representative J. Jones moved to suspend all necessary rules to take up and consider at this time **HR 2160**.

The motion prevailed.

The following resolution was laid before the house:

HR 2160, In memory of Sammie Charles Harris.

HR 2160 was unanimously adopted by a rising vote.

HR 2093 - ADOPTED
(by Dutton)

Representative J. Jones moved to suspend all necessary rules to take up and consider at this time **HR 2093**.

The motion prevailed.

The following resolution was laid before the house:

HR 2093, Congratulating Gladys Goffney on her 50th anniversary as a lawyer.

HR 2093 was adopted.

HR 2138 - ADOPTED
(by Toth)

Representative Toth moved to suspend all necessary rules to take up and consider at this time **HR 2138**.

The motion prevailed.

The following resolution was laid before the house:

HR 2138, Commending Joe Haliti of Conroe for his contributions to the community.

HR 2138 was adopted.

On motion of Representative Metcalf, the names of all the members of the house were added to **HR 2138** as signers thereof.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR SECOND READING

The following bills were laid before the house, read second time, and passed to engrossment or third reading (members registering votes are shown following the caption), and the following resolutions were laid before the house on committee report:

SB 55 (M. González - House Sponsor), A bill to be entitled An Act relating to a study and report by the Texas Higher Education Coordinating Board regarding best practices for assisting students with autism spectrum disorder. (Bonnen, Buckley, Bumgarner, Burrows, Cain, Cook, Craddick, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, K. King, Kuempel, Leach, Metcalf, Noble, Oliverson, Paul, Schatzline, Shaheen, Slawson, Smith, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 158 (Lambert - House Sponsor), A bill to be entitled An Act relating to the location of a bank eligible to be selected as a depository or subdepository of county public money, including money held by a county or district clerk. (Hull, Patterson, Slawson, and Thimesch recorded voting no.)

SB 322 (Morrison - House Sponsor), A bill to be entitled An Act relating to the compensation of members of the seawall commission in Matagorda County. (K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Holland, Hull, Noble, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Stucky, Thimesch, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 335 (Hull - House Sponsor), A bill to be entitled An Act relating to meetings of the Family and Protective Services Council broadcast over the Internet. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 336 (Cole - House Sponsor), A bill to be entitled An Act relating to compliance programs at public institutions of higher education. (Ashby, K. Bell, Buckley, Bumgarner, Cain, Clardy, Cook, Craddick, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Lambert, Leach, Metcalf, Noble, Oliverson, Patterson, Schatzline, Shaheen, Shine, Slawson, Smith, Stucky, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 422 (Wilson - House Sponsor), A bill to be entitled An Act relating to the authority of certain military service members to engage in a business or occupation in this state. (Cook, Patterson, and Thimesch recorded voting no.)

SB 427 (M. González - House Sponsor), A bill to be entitled An Act relating to requiring certain institutions of higher education to enter into an agreement to offer undergraduate courses in Texas History. (Hull, Noble, Patterson, Price, and Slawson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 459 (C.E. Harris, M. González, et al. - House Sponsors), A bill to be entitled An Act relating to early registration for parenting students at public institutions of higher education. (Cook, Craddick, Hull, Noble, Price, Slawson, and Thimesch recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 498 (Smithee - House Sponsor), A bill to be entitled An Act relating to the operation of statewide technology centers. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Noble, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 533 (Shaheen and Plesa - House Sponsors), A bill to be entitled An Act relating to training for peace officers on responding to and investigating child fatalities. (Hull, Oliverson, Patterson, Slawson, and Thimesch recorded voting no.)

SB 565 (Darby - House Sponsor), A bill to be entitled An Act relating to the release of a reversionary interest in certain real property by the Health and Human Services Commission. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Noble, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 667 (Dutton and Rose - House Sponsors), A bill to be entitled An Act relating to establishing a state historical marker program to honor African Americans who served in the Texas Legislature during Reconstruction. (Ashby, Craddick, Darby, K. King, Kuempel, and Shine recorded voting no.)

SB 681 (Hull - House Sponsor), A bill to be entitled An Act relating to the applicability of certain laws regarding the occupational licensing of individuals with criminal convictions to the licensing of certain long-term health care facility personnel. (Patterson, Slawson, and Thimesch recorded voting no.)

SB 719 (Thierry - House Sponsor), A bill to be entitled An Act relating to an exemption from ad valorem taxation of property owned by a charitable organization that provides services related to the placement of a child in a foster or adoptive home. (K. Bell, Hull, Patterson, Slawson, and Thimesch recorded voting no.)

SB 813 (R. Lopez, Reynolds, Morales Shaw, Guerra, and Zwiener - House Sponsors), A bill to be entitled An Act relating to providing notice to a state representative and senator of certain administrative actions of the Texas Commission on Environmental Quality. (Ashby, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Leach, Metcalf, Oliverson, Patterson, Schatzline, Shaheen, Shine, Slawson, Smith, Stucky, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 956 (Longoria - House Sponsor), A bill to be entitled An Act relating to repealing the coordinated strategic plan for health and human services in this state, including related conforming amendments. (Ashby, Buckley, Bumgarner, Cain, Cook, Craddick, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Harrison, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 997 (Leach - House Sponsor), A bill to be entitled An Act relating to the publication of certain photographs of human remains by certain individuals for a purpose other than an authorized purpose; providing a civil penalty. (Thimesch recorded voting no.)

SB 1098 (Hull - House Sponsor), A bill to be entitled An Act relating to the rights of a parent or guardian with a child in certain child-care facilities. (Thimesch recorded voting no.)

Amendment No. 1

Representative Hull offered the following amendment to **SB 1098**:

Amend **SB 1098** (house committee report) on page 3, line 5, between "provide" and "notice" by inserting "written".

Amendment No. 1 was adopted.

SB 1136 (Orr - House Sponsor), A bill to be entitled An Act relating to the administration of county roads in certain counties. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Harrison, Hefner, Hull, Leach, Metcalf, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Stucky, Thimesch, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1146 (Klick, Moody, Rose, Leach, and Swanson - House Sponsors), A bill to be entitled An Act relating to the medical transportation and care for certain inmates in the Texas Department of Criminal Justice. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1192 (Noble - House Sponsor), A bill to be entitled An Act relating to access to criminal history record information for certain employees, volunteers, and contractors, and for applicants for those positions, by the Health and Human Services Commission. (Patterson and Thimesch recorded voting no.)

Amendment No. 1

Representative Noble offered the following amendment to **SB 1192**:

Amend **SB 1192** (house committee printing) as follows:

(1) On page 1, strike lines 9 through 13 and substitute the following:

(b) The ~~[executive commissioner of the]~~ commission ~~[, or the executive commissioner's designee,]~~ is entitled to obtain ~~[from the department]~~ criminal history record information as provided by Subsection (b-1) [maintained by the department] that relates to a person who is required to be fingerprinted and is:

(2) On page 2, line 10, between "from" and "any", insert "the department or".

(3) On page 2, line 11, strike "that" and substitute "the department or other".

(4) On page 2, line 15, strike "this section [~~Subsection (b)~~]" and substitute "Subsection (b-1)(2) [(b)]".

(5) On page 2, line 24, strike "Notwithstanding Subsection (c), criminal" and substitute "Criminal".

(6) On page 2, line 26, strike "(b)(1)" and substitute "(b-1)(1)".

(7) On page 3, lines 1 and 2, strike "this section [~~Subsection (b)~~]" and substitute "Subsection (b-1)(2) [(b)]".

Amendment No. 1 was adopted.

SB 1242 (Campos - House Sponsor), A bill to be entitled An Act relating to training for employees and operators of certain child-care facilities. (Ashby, Clardy, Cook, Craddick, Darby, Hefner, K. King, Kuempel, Lambert, Leach, Metcalf, Noble, Patterson, Shine, Slawson, Stucky, and Thimesch recorded voting no.)

SB 1289 (T. King - House Sponsor), A bill to be entitled An Act relating to the disposal of reclaimed wastewater. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1290 (Landgraf - House Sponsor), A bill to be entitled An Act relating to a study of the effects of the installation, operation, removal, and disposal of solar, wind turbine, and energy storage equipment. (Anderson, Harrison, Patterson, Paul, Thimesch, and E. Thompson recorded voting no.)

SB 1327 (Rose - House Sponsor), A bill to be entitled An Act relating to authorizing a day-care center to employ an interim director. (Ashby, Buckley, Bumgarner, Cain, Cook, Craddick, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Lambert, Noble, Oliverson, Patterson, Price, Schatzline, Shaheen, Shine, Slawson, Smith, Stucky, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1342 (Smithee - House Sponsor), A bill to be entitled An Act relating to requirements applicable to certain third-party health insurers in relation to Medicaid. (Hefner, Leach, Metcalf, Patterson, Slawson, and Thimesch recorded voting no.)

CSSB 1367 (Leach - House Sponsor), A bill to be entitled An Act relating to the confidentiality of certain information for employees of a county courthouse or the Office of Court Administration of the Texas Judicial System and the employees' family members. (Cook, Hull, Noble, Patterson, and Price recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

CSSB 1376 (Wilson - House Sponsor), A bill to be entitled An Act relating to an employment preference for members of the military and their spouses for positions at state agencies. (Noble recorded voting no.)

Amendment No. 1

Representative Wilson offered the following amendment to **CSSB 1376**:

Amend **CSSB 1376** (house committee report) on page 2 as follows:

(1) On line 4, strike "and".

(2) On line 6, between "active duty" and the period, insert the following:
; and

(5) the spouse of a veteran if the spouse is the primary source of income for the household and the veteran has a total disability rating based either on having a service-connected disability with a disability rating of at least 70 percent or on individual unemployment

(3) Strike lines 21 through 23 and insert the following:

(3) a spouse described by Section 657.002(4) or (5);

Amendment No. 1 was adopted.

SB 1379 (Lujan, Klick, Garcia, Noble, and E. Morales - House Sponsors), A bill to be entitled An Act relating to a pilot program to increase the financial independence of foster youth who are transitioning to independent living. (Hefner, Leach, Metcalf, Patterson, Paul, Thimesch, and E. Thompson recorded voting no.)

SB 1399 (K. Bell - House Sponsor), A bill to be entitled An Act relating to the renewal and review of standard permits for certain concrete plants. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Oliverson, Patterson, Schatzline, Shaheen, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1520 (Clardy - House Sponsor), A bill to be entitled An Act relating to the authority of the Texas Historical Commission to take certain actions relating to the Republic of Texas Granite Boundary Marker. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1525 (Rose - House Sponsor), A bill to be entitled An Act relating to the confidentiality of certain home address information in property tax appraisal records. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Lambert, Metcalf, Oliverson, Patterson, Schatzline, Shaheen, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1526 (E. Morales - House Sponsor), A bill to be entitled An Act relating to the provision of mobile emergency medical services by the Big Bend Regional Hospital District. (K. Bell, Buckley, Bumgarner, Cain, Clardy, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Leach, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1565 (Paul - House Sponsor), A bill to be entitled An Act relating to requiring the establishment of policy frameworks for research security at public institutions of higher education. (Patterson and Thimesch recorded voting no.)

SB 1606 (Leach - House Sponsor), A bill to be entitled An Act relating to evidence and orders regarding intellectual disability or mental condition in certain guardianship proceedings. (Bonnen, Burrows, Goldman, Hull, Oliverson, Patterson, and Slawson recorded voting no.)

SB 1670 (Martinez - House Sponsor), A bill to be entitled An Act relating to required boating incident reports. (Ashby, K. Bell, Buckley, Bumgarner, Cain, Clardy, Craddick, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, K. King, Kuempel, Lambert, Leach, Metcalf, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, and Vasut recorded voting no.)

SB 1746 (C. Bell - House Sponsor), A bill to be entitled An Act relating to an exemption from the requirement to obtain a permit from a groundwater conservation district for certain temporary water wells. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Troxclair, and Vasut recorded voting no.)

SB 1854 (Lambert - House Sponsor), A bill to be entitled An Act relating to optional group benefits for dental and vision care under the Texas Public School Employees Group Insurance Program. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1916 (Shine - House Sponsor), A bill to be entitled An Act relating to publication of public improvement district service plans and assessments on certain public Internet websites. (Patterson and Slawson recorded voting no.)

SB 1998 (Shine - House Sponsor), A bill to be entitled An Act relating to the calculation of certain ad valorem tax rates. (Anderson, J. Jones, Patterson, Paul, Plesa, Slawson, and E. Thompson recorded voting no.)

SB 2008 (Bailes, et al. - House Sponsors), A bill to be entitled An Act relating to operating requirements for farm mutual insurance companies related to insurance in force on rural property. (Patterson and Thimesch recorded voting no.)

SB 2133 (Oliverson and Plesa - House Sponsors), A bill to be entitled An Act relating to emergency planning for the transportation of certain end stage renal disease facility patients during a declared disaster. (Hull, Patterson, Slawson, and Thimesch recorded voting no.)

SB 2429 (Klick, et al. - House Sponsors), A bill to be entitled An Act relating to reporting procedures and training programs for law enforcement agencies regarding missing children and missing persons. (Holland, Patterson, and Thimesch recorded voting no.)

SB 2479 (Moody - House Sponsor), A bill to be entitled An Act relating to procedures regarding certain persons who are or may be persons with a mental illness or intellectual disability. (Ashby, Buckley, Bumgarner, Cain, Clardy, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Lambert, Leach, Metcalf, Patterson, Schatzline, Shaheen, Shine, Slawson, Smith, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2588 (Kitzman - House Sponsor), A bill to be entitled An Act relating to the creation of the Fort Bend County Municipal Utility District No. 264; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Allison, Anderson, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Leach, Metcalf, Noble, Patterson, Paul, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2598 (Frazier - House Sponsor), A bill to be entitled An Act relating to the creation of the Honey Creek Improvement District No. 1; providing authority to issue bonds; providing authority to impose assessments and fees. (Allison, Anderson, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Leach, Leo-Wilson, Metcalf, Noble, Patterson, Paul, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2605 (Buckley - House Sponsor), A bill to be entitled An Act relating to the creation of the Knob Creek Municipal Utility District of Bell County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Allison, Anderson, Ashby, K. Bell, Bonnen, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Leach, Leo-Wilson, Metcalf, Noble, Patterson, Paul, Schaefer, Schatzline,

Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2613 (Stucky - House Sponsor), A bill to be entitled An Act relating to the creation of the Tabor Ranch Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting a limited power of eminent domain. (Allison, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Leach, Metcalf, Noble, Patterson, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SCR 4 (Hunter - House Sponsor), A bill to be entitled An Act directing the Texas Facilities Commission to name the Capitol Complex Child Development Center "Emma's Garden" in honor of Emma Barrientos.

SCR 4 was adopted by (Record 2032): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Moody(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Bonnen; Goodwin; Noble; Orr.

STATEMENT OF VOTE

When Record No. 2032 was taken, I was in the house but away from my desk. I would have voted yes.

Goodwin

SCR 8 (Capriglione - House Sponsor), A bill to be entitled An Act designating June 2 as Italian Heritage Day for a 10-year period beginning in 2023.

SCR 8 was adopted by (Record 2033): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Moody(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Shine.

SCR 46 (Kuempel - House Sponsor), A bill to be entitled An Act authorizing the State Preservation Board to approve the placement of the Texas Game Warden Memorial at the State Capitol Complex.

SCR 46 was adopted by (Record 2034): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless;

Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Moody(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

HCR 115 (by Kitzman), A bill to be entitled An Act directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to U.S. Army Master Sergeant Mike C. Peña.

HCR 115 was adopted by (Record 2035): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Moody(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Dutton.

SB 200 (Howard - House Sponsor), A bill to be entitled An Act relating to the period for which an applicant for admission as an undergraduate student to a public institution of higher education is entitled to an academic fresh start. (Anderson, Ashby, Clardy, Cook, Craddick, Darby, Harrison, Hefner, Hull, K. King, Kuempel, Leach, Metcalf, Noble, Patterson, Paul, Price, Shine, Slawson, Stucky, Thimesch, and E. Thompson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 232 (Geren - House Sponsor), A bill to be entitled An Act relating to the removal from office of an officer of a political subdivision for commission of certain criminal offenses. (Ashby, Clardy, Darby, Hefner, Leach, Metcalf, Patterson, Shine, and Thimesch recorded voting no.)

Without objection, **SB 276** was deferred until the end of today's local, consent, and resolutions calendar.

Without objection, **SB 315** was deferred until the end of today's local, consent, and resolutions calendar.

SB 469 (T. King - House Sponsor), A bill to be entitled An Act relating to the eligibility of certain political subdivisions to receive certain financial assistance administered by the Texas Water Development Board. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

CSSB 640 (Metcalf - House Sponsor), A bill to be entitled An Act relating to the state agencies responsible for providing facilities management services for certain state buildings allocated for legislative use. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

CSSB 718 (Cook - House Sponsor), A bill to be entitled An Act relating to additional periods of possession of or access to a child to compensate for denial of court-ordered possession or access. (Hull, J. Jones, Patterson, Plesa, Slawson, and Thimesch recorded voting no.)

CSSB 1056 (Canales - House Sponsor), A bill to be entitled An Act relating to the directors and administration of the Hidalgo County Water Improvement District No. 3. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, K. King, Kuempel, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1131 was contested and was withdrawn and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars. (Pursuant to Rule 6, Section 14(3), of the House Rules, the following eight members gave notice of their objection: Leo-Wilson, Cain, Toth, Isaac,

Schatzline, Harrison, Tinderholt, and Dorazio.) (The objections by Cain, Leo-Wilson, Tinderholt, and Isaac were withdrawn later today, and **SB 1131** was passed to third reading.)

SB 1404 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Hunter moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Morales Shaw as a house sponsor to **SB 1404**.

The motion prevailed.

SB 1404 (Smithee and Morales Shaw - House Sponsors), A bill to be entitled An Act relating to the creation of a work group to study the benefits of coal-to-nuclear electric generating facility conversion. (Isaac, Patterson, Thimesch, and Tinderholt recorded voting no.)

Amendment No. 1

Representative Smithee offered the following amendment to **SB 1404**:

Amend **SB 1404** (house committee printing) as follows:

- (1) On page 2, strike lines 5 through 7 and substitute the following:
- (b) The work group members described by Subsections (a)(1) and (2) of this section serve as co-chairs of the work group.
- (2) On page 2, line 8, strike "chair" and substitute "co-chairs".
- (3) On page 2, line 10, strike "chair" and substitute "co-chairs".
- (4) On page 2, line 11, strike "chair" and substitute "co-chairs".
- (5) On page 4, line 7, strike "chair" and substitute "co-chairs".

Amendment No. 1 was adopted.

SB 1430 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

SB 1431 (Guerra - House Sponsor), A bill to be entitled An Act relating to the confidentiality of certain information for a current or former administrative law judge for the State Office of Administrative Hearings. (Buckley, Bumgarner, Cain, Cook, Craddick, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Lambert, Patterson, Schatzline, Shaheen, Slawson, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1568 (Shaheen - House Sponsor), A bill to be entitled An Act relating to the persons authorized or appointed to exercise the power of sale under the terms of a contract lien on real property. (Hull, Patterson, Slawson, and Thimesch recorded voting no.)

SB 1585 (A. Johnson and Wu - House Sponsors), A bill to be entitled An Act relating to certain proceedings in juvenile court for children with mental illness and intellectual disabilities. (Buckley, Bumgarner, Cain, Clardy, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Leach, Metcalf, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1624 (Leach - House Sponsor), A bill to be entitled An Act relating to guardianships, alternatives to guardianship, and supports and services for incapacitated persons. (Clardy, Hefner, Metcalf, and Patterson recorded voting no.)

Amendment No. 1

Representative Leach offered the following amendment to **SB 1624**:

Amend **SB 1624** (house committee report) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber the SECTIONS of the bill accordingly:

SECTION _____. Section 1101.103, Estates Code, is amended to read as follows:

Sec. 1101.103. DETERMINATION OF INCAPACITY OF CERTAIN ADULTS: PHYSICIAN OR PSYCHOLOGIST EXAMINATION. (a) Except as provided by Section 1101.104, the court may not grant an application to create a guardianship for an incapacitated person, other than a minor or person for whom it is necessary to have a guardian appointed only to receive funds from a governmental source, unless the applicant presents to the court a written letter or certificate from:

(1) a physician licensed in this state, if the proposed ward's alleged incapacity results from a physical condition or mental condition; or

(2) a psychologist licensed in this state or certified by the Health and Human Services Commission to perform the examination, in accordance with rules adopted by the executive commissioner of the commission governing examinations of that kind, if the proposed ward's alleged incapacity results from a mental condition.

(a-1) The physician or psychologist who provides the letter or certificate under Subsection (a) must:

(1) have experience examining individuals with the physical or mental condition resulting in the proposed ward's alleged incapacity; or

(2) have an established patient-provider relationship with the proposed ward.

(a-2) The letter or certificate required by Subsection (a) must be ~~[that is]~~:

(1) dated not earlier than the 120th day before the date the application is filed; and

(2) based on an examination the physician or psychologist performed not earlier than the 120th day before the date the application is filed.

(b) A ~~[The]~~ letter or certificate from a physician must:

(1) describe the nature, degree, and severity of the proposed ward's incapacity, including any functional deficits regarding the proposed ward's ability to:

(A) handle business and managerial matters;

(B) manage financial matters;

(C) operate a motor vehicle;

(D) make personal decisions regarding residence, voting, and marriage; and

(E) consent to medical, dental, psychological, or psychiatric treatment;

(2) in providing a description under Subdivision (1) regarding the proposed ward's ability to operate a motor vehicle and make personal decisions regarding voting, state whether in the physician's opinion the proposed ward:

(A) has the mental capacity to vote in a public election; and

(B) has the ability to safely operate a motor vehicle;

(3) provide an evaluation of the proposed ward's physical condition and mental functioning and summarize the proposed ward's medical history if reasonably available;

(3-a) in providing an evaluation under Subdivision (3), state whether improvement in the proposed ward's physical condition and mental functioning is possible and, if so, state the period after which the proposed ward should be reevaluated to determine whether a guardianship continues to be necessary;

(4) state how or in what manner the proposed ward's ability to make or communicate responsible decisions concerning himself or herself is affected by the proposed ward's physical or mental health, including the proposed ward's ability to:

(A) understand or communicate;

(B) recognize familiar objects and individuals;

(C) solve problems;

(D) reason logically; and

(E) administer to daily life activities with and without supports and services;

(5) state whether any current medication affects the proposed ward's demeanor or the proposed ward's ability to participate fully in a court proceeding;

(6) describe the precise physical and mental conditions underlying a diagnosis of a mental disability, and state whether the proposed ward would benefit from supports and services that would allow the individual to live in the least restrictive setting;

(6-a) state whether a guardianship is necessary for the proposed ward and, if so, whether specific powers or duties of the guardian should be limited if the proposed ward receives supports and services; and

(7) include any other information required by the court.

(b-1) Consistent with the scope of practice of a psychologist under Chapter 501, Occupations Code, a letter or certificate from a psychologist must include the information required under Subsection (b) only in relation to the proposed ward's mental capacity.

(c) If the court determines it is necessary, the court may appoint a physician or psychologist [the necessary physicians] to examine the proposed ward. The court must make its determination with respect to the necessity for a physician's or psychologist's examination of the proposed ward at a hearing held for that purpose. Not later than the fourth day before the date of the hearing, the applicant shall give to the proposed ward and the proposed ward's attorney ad litem written notice specifying the purpose and the date and time of the hearing.

(d) A physician or psychologist who examines the proposed ward, other than a physician or psychologist who examines the proposed ward under Section 1101.104(2), shall make available for inspection by the attorney ad litem appointed to represent the proposed ward a written letter or certificate from:

(1) the physician that complies with the requirements of Subsections (a), (a-1), (a-2), and (b); or

(2) the psychologist that complies with the requirements of Subsections (a), (a-1), (a-2), and (b-1).

SECTION _____. Section 1102.002, Estates Code, is amended to read as follows:

Sec. 1102.002. ESTABLISHMENT OF PROBABLE CAUSE FOR INVESTIGATION. To establish probable cause under Section 1102.001, the court may require:

(1) an information letter about the person believed to be incapacitated that is submitted by an interested person and satisfies the requirements of Section 1102.003; or

(2) a written letter or certificate from a physician or psychologist who has examined the person believed to be incapacitated that satisfies the requirements of Section 1101.103, except that the letter must be:

(A) dated not earlier than the 120th day before the date of the appointment of a guardian ad litem or court investigator under Section 1102.001; and

(B) based on an examination the physician or psychologist performed not earlier than the 120th day before that date.

SECTION _____. The heading to Section 1202.152, Estates Code, is amended to read as follows:

Sec. 1202.152. [~~PHYSICIAN'S~~] LETTER OR CERTIFICATE REQUIRED.

SECTION _____. Section 573.012, Health and Safety Code, is amended by amending Subsections (a), (e), and (h) and adding Subsections (h-2) and (h-3) to read as follows:

(a) Except as provided by Subsection (h), an applicant for emergency detention must present the application personally to a judge or magistrate. The judge or magistrate shall examine the application and may interview the applicant. Except as provided by Subsections ~~[Subsection]~~ (g) and (h), the judge of a court with probate jurisdiction by administrative order may provide that the application must be:

(1) presented personally to the court; or

(2) retained by court staff and presented to another judge or magistrate as soon as is practicable if the judge of the court is not available at the time the application is presented.

(e) A person apprehended under this section who is not physically located in a mental health facility at the time the warrant is issued under Subsection (h-1) shall be transported for a preliminary examination in accordance with Section 573.021 to:

(1) the nearest appropriate inpatient mental health facility; or

(2) a mental health facility deemed suitable by the local mental health authority, if an appropriate inpatient mental health facility is not available.

(h) A judge or magistrate shall ~~may~~ permit an applicant who is a physician to present an application by:

(1) e-mail with the application attached as a secure document in a portable document format (PDF); or

(2) another secure electronic means, including:

(A) satellite transmission;

(B) closed-circuit television transmission; or

(C) any other method of two-way electronic communication that:

(i) is secure;

(ii) is available to the judge or magistrate; and

(iii) provides for a simultaneous, compressed full-motion video and interactive communication of image and sound between the judge or magistrate and the applicant.

(h-2) A facility may detain a person who is physically located in the facility to perform a preliminary examination in accordance with Section 573.021 if:

(1) a judge or magistrate transmits a warrant to the facility under Subsection (h-1) for the detention of the person; and

(2) the person is not under an order under this chapter or Chapter 574.

(h-3) The Office of Court Administration of the Texas Judicial System shall develop and implement a process for an applicant for emergency detention to electronically present the application under Subsection (h) and for a judge or magistrate to electronically transmit a warrant under Subsection (h-1).

SECTION _____. The changes in law made by this Act apply to an emergency detention under Chapter 573, Health and Safety Code, that begins on or after the effective date of this Act. An emergency detention under Chapter 573, Health and Safety Code, that begins before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

SECTION _____. As soon as practicable after the effective date of this Act, the Office of Court Administration of the Texas Judicial System shall develop the process as required by Section 573.012(h-3), Health and Safety Code, as added by this Act.

(2) In SECTION 16 of the bill, in the transition language, in Subsection (a)(1) of that section (page 20, line 3), strike "guardianship proceeding created" and substitute "guardianship created".

(3) In SECTION 16 of the bill, in the transition language, strike Subsection (a)(2) of that section (page 20, lines 5 and 6) and substitute the following:

(2) a guardianship proceeding that is pending or commenced on or after the effective date of this Act.

(4) In SECTION 16 of the bill, in the transition language, (page 20, between lines 14 and 15), immediately following Subsection (b) of that section, insert the following:

(c) The changes in law made by this Act to Section 1101.103, Estates Code, apply only to an application for the appointment of a guardian that is filed on or after the effective date of this Act. An application filed before the effective date of this Act is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

SB 1712 (Darby - House Sponsor), A bill to be entitled An Act relating to the purchase, sale, or lease of real property on behalf of a limited partnership or a limited liability company. (Hull, Patterson, Slawson, and Thimesch recorded voting no.)

SB 1720 (Lozano - House Sponsor), A bill to be entitled An Act relating to the confidentiality of the identity of a public school employee who reports a potential threat to the school's threat assessment and safe and supportive school team. (Holland, Patterson, Smith, and Thimesch recorded voting no.)

SB 1835 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

SB 1930 (Dutton, Garcia, Campos, Oliverson, Sherman, et al. - House Sponsors), A bill to be entitled An Act relating to policies and procedures regarding children placed by the Department of Family and Protective Services in a residential treatment center or qualified residential treatment program. (Bumgarner, Cain, Clardy, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Leach, Patterson, Schatzline, Shaheen, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 1999 (Hefner - House Sponsor), A bill to be entitled An Act relating to the calculation of the unused increment rate of a taxing unit. (J. Jones, Patterson, Plesa, Slawson, and Thimesch recorded voting no.)

SB 2052 (Ashby - House Sponsor), A bill to be entitled An Act relating to permit fees for groundwater wells imposed by the Southeast Texas Groundwater Conservation District. (Anderson, Bonnen, Buckley, Bumgarner, Burrows, Cain, Cook, Craddick, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Leach, Leo-Wilson, Metcalf, Oliverson, Patterson, Paul, Schaefer, Schatzline, Shaheen, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2105 (Holland - House Sponsor), A bill to be entitled An Act relating to the registration of and certain other requirements relating to data brokers; providing a civil penalty and authorizing a fee. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Leach, Metcalf, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2120 (Cook - House Sponsor), A bill to be entitled An Act relating to the establishment of a family protection representation program within the Texas Indigent Defense Commission. (Buckley, Bumgarner, Cain, Gates, Gerdes,

C.E. Harris, C.J. Harris, Hefner, Holland, Leach, Metcalf, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

CSSB 2192 (K. Bell - House Sponsor), A bill to be entitled An Act relating to the notice and petition for the creation of a municipal utility district in certain counties. (Allison, Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Noble, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2200 (C.E. Harris - House Sponsor), A bill to be entitled An Act relating to public acknowledgment of donations made to the Texas Department of Transportation. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2248 (Murr - House Sponsor), A bill to be entitled An Act relating to guardianships for persons who are incapacitated; changing a fee. (Hefner, Metcalf, Patterson, Slawson, and Thimesch recorded voting no.)

SB 2277 (Cook - House Sponsor), A bill to be entitled An Act relating to special appointments in suits affecting the parent-child relationship. (Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Metcalf, Patterson, Schatzline, Shaheen, Slawson, Smith, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2292 (Murr - House Sponsor), A bill to be entitled An Act relating to bond requirements for certain judges. (Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Metcalf, Patterson, Schatzline, Shaheen, Slawson, Smith, Tindholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2314 (VanDeaver - House Sponsor), A bill to be entitled An Act relating to a membership interest in a limited liability company subject to a charging order. (Hull, Patterson, Slawson, and Thimesch recorded voting no.)

SB 2350 (Shine - House Sponsor), A bill to be entitled An Act relating to the voter-approval tax rate used to calculate the unused increment rate of a taxing unit for ad valorem tax purposes. (Hull, J. Jones, Patterson, Plesa, and Slawson recorded voting no.)

CSSB 2370 (Kuempel - House Sponsor), A bill to be entitled An Act relating to the division of certain emergency services districts. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2406 (Manuel - House Sponsor), A bill to be entitled An Act relating to the authority of hospitals in certain counties to drill a water well for the purpose of producing water for use in the event of an emergency or natural disaster.

(Anderson, Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, E. Thompson, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2440 was contested and was withdrawn and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars. (Pursuant to Rule 6, Section 14(3), of the House Rules, the following five members gave notice of their objection: V. Jones, Goodwin, C. Morales, Gámez, and Hinojosa.) (The objections by V. Jones, Gámez, and Hinojosa were withdrawn later today, and **SB 2440** was passed to third reading.)

SB 2595 was contested and was withdrawn and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars. (Pursuant to Rule 6, Section 14(3), of the House Rules, the following five members gave notice of their objection: V. Jones, Goodwin, C. Morales, Gámez, and Hinojosa.) (The objections by V. Jones and Gámez were withdrawn later today, and **SB 2595** was passed to third reading.)

SB 2597 was contested and was withdrawn and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars. (Pursuant to Rule 6, Section 14(3), of the House Rules, the following seven members gave notice of their objection: Goodwin, V. Jones, C. Morales, Gámez, Hinojosa, Ortega, and Neave Criado.) (The objections by V. Jones, Gámez, Hinojosa, Ortega, and Neave Criado were withdrawn later today, and **SB 2597** was passed to third reading.)

SB 2604 (S. Thompson - House Sponsor), A bill to be entitled An Act relating to the creation of the Harris County Municipal Utility District No. 589; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Allison, Anderson, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Holland, Hull, Lambert, Leo-Wilson, Noble, Patterson, Paul, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2616 (Flores - House Sponsor), A bill to be entitled An Act relating to the creation of the Travis County Municipal Utility District No. 27; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Allison, Anderson, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Lambert, Leach, Metcalf, Noble, Patterson, Paul, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2619 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

HR 968 (by Darby), A bill to be entitled An Act honoring Mary Lee Castetter for her 20 years of service with the Texas Association of Builders.

HR 968 was adopted by (Record 2036): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Johnson, J.D.; Johnson, J.E.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Moody(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Jetton; Jones, J.

HR 969 (by Darby), A bill to be entitled An Act honoring M. Scott Norman Jr. for his 20 years of service with the Texas Association of Builders.

HR 969 was adopted by (Record 2037): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano;

Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Walle; Wilson; Wu; Zwiener.

Present, not voting — Moody(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Gates; Morrison; Vo.

STATEMENT OF VOTE

When Record No. 2037 was taken, I was in the house but away from my desk. I would have voted yes.

Gates

SB 276 (Vasut - House Sponsor), A bill to be entitled An Act relating to certificates of title for certain outboard motors. **SB 276** was contested and was withdrawn and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

SB 315 (Ramos - House Sponsor), A bill to be entitled An Act relating to the definition of telephone call for purposes of regulating telephone solicitations. (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

OBJECTIONS WITHDRAWN

Objections were withdrawn to the following bills which were previously withdrawn from the local, consent, and resolutions calendar:

CSSB 2440 (Burrows - House Sponsor), A bill to be entitled An Act relating to a requirement that certain plats for the subdivision of land include evidence of groundwater supply.

CSSB 2440 was laid before the house and read second time.

Amendment No. 1

Representative Burrows offered the following amendment to **CSSB 2440**:

Amend **CSSB 2440** (house committee report) as follows:

(1) On page 1, lines 6 and 7, strike "(a-1), (a-2), (d), and (e)" and substitute "(a-1) and (a-2)".

(2) Strike page 1, line 22, through page 2, line 6, and substitute the following:

(1) based on credible evidence of groundwater availability in the vicinity of the proposed subdivision, the municipal authority determines that sufficient groundwater is available and will continue to be available to the subdivided tract of land; and

(2) either:

(A) the entire tract proposed to be subdivided by the plat will be supplied with groundwater from the Gulf Coast Aquifer or the Carrizo-Wilcox Aquifer; or

(B) the proposed subdivision divides the tract into not more than 10 parts.

(3) On page 2, line 8, strike "(a-1)(2)" and substitute "(a-1)(2)(B)".

(4) Strike page 2, lines 9 through 24, and substitute the following:
requirements of Subsection (a) if:

(1) the tract is subsequently divided in a manner that results in the original tract being subdivided into more than 10 parts; or

(2) the municipal authority determines that the proposed subdivision is part of a series of proposed subdivisions from an original tract that collectively includes more than 10 parts.

(5) On page 2, lines 26 and 27, strike "(a-1), (a-2), (d), and (e)" and substitute "(a-1) and (a-2)".

(6) Strike page 3, lines 14 through 22, and substitute the following:

(1) based on credible evidence of groundwater availability in the vicinity of the proposed subdivision, the commissioners court determines that sufficient groundwater is available and will continue to be available to the subdivided tract of land; and

(2) either:

(A) the entire tract proposed to be subdivided by the plat will be supplied with groundwater from the Gulf Coast Aquifer or the Carrizo-Wilcox Aquifer; or

(B) the proposed subdivision divides the tract into not more than 10 parts.

(7) On page 3, line 24, strike "(a-1)(2)" and substitute "(a-1)(2)(B)".

(8) Strike page 3, line 25, through page 4, line 13, and substitute the following:
requirements of Subsection (a) if:

(1) the tract is subsequently divided in a manner that results in the original tract being subdivided into more than 10 parts; or

(2) the commissioners court determines that the proposed subdivision is part of a series of proposed subdivisions from an original tract that collectively includes more than 10 parts.

(9) Strike page 4, lines 19 through 23, and substitute the following:

SECTION 4. This Act takes effect January 1, 2024.

Amendment No. 1 was adopted.

CSSB 2440, as amended, was passed to third reading. (Anderson, Buckley, Bumgarner, Cain, Gates, C.E. Harris, C.J. Harris, Holland, Patterson, Schatzline, Shaheen, Smith, E. Thompson, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2595 (Metcalf - House Sponsor), A bill to be entitled An Act relating to the creation of the Montgomery County Municipal Utility District No. 204; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2595 was laid before the house, read second time, and was passed to third reading. (Allison, Anderson, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Holland, Hull, Noble, Patterson, Paul, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.)(Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1131 (Ortega - House Sponsor), A bill to be entitled An Act relating to the authority of certain independent school districts to change the date of the general election for officers.

SB 1131 was laid before the house, read second time, and was passed to third reading. (Ashby, Buckley, Bumgarner, Cain, Clardy, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, K. King, Kuempel, Lambert, Leo-Wilson, Patterson, Schatzline, Shaheen, Shine, Slawson, Smith, Toth, Troxclair, Vasut, and Wilson recorded voting no.)

SB 2597 (C. Bell - House Sponsor), A bill to be entitled An Act relating to the creation of the Montgomery County Municipal Utility District No. 237; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2597 was laid before the house, read second time, and was passed to third reading. (Allison, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Holland, Hull, Noble, Patterson, Paul, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson recorded voting no.) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

ADJOURNMENT

Representative C.J. Harris moved that the house adjourn until 12:30 p.m. today.

The motion prevailed.

The house accordingly, at 12:12 p.m., adjourned until 12:30 p.m. today.

